

February 12, 1975

vote only. Senator Burrows.

SENATOR BURROWS: I would like to speak that both labor and management that testified at the Committee hearing objected to the word "chiropractor" being inserted and I would prefer to see this go through without the word "chiropractor". They wanted the worker to have an examination by a physician and, regarding this, Judge Novicoff said that they could be paid upon referral after an examination by a physician, if referred to a chiropractor, under the present writing as the Committee amendments came out. So I would much prefer to see this go through as is, where both labor and management testimony supported it, with quite a question on this word "chiropractor", and reservation on it.

PRESIDENT: Senator Maresh.

SENATOR MARESH: Mr. President and members of the Legislature, the Committee felt that to make this noncontroversial where everybody agreed, that we would put it out without the "chiropractor", but I believe that if we are going to talk about a person, an employee, having choice of physician, I believe we should also include the chiropractor. I have an Attorney General's opinion here. Way back in 1949, May 16, 1949, from the Attorney General's office, that said that a chiropractor shall be listed as a physician. It states, this is a Michigan case, the case of Green versus Rawlings, holds under a statutory situation quite similar to that in Nebraska that since treatment of this nature by a chiropractor has been held to constitute practice of medicine, it thereby constitutes a furnishing of medical services and is, thus, allowable under the Workmen's Compensation Law. If the Attorney General's opinion states so, I think we should include the chiropractors in this definition of a physician. I object to Senator Burrows' objection.

PRESIDENT: Senator Dickinson.

SENATOR DICKINSON: Mr. President, members of the body, I have a question and I am not sure to whom to direct it, but I would like clarified the exact status of the chiropractor under present legislation and how, if at all, it would be changed under the bill as is or the bill as the proposed amendment would be. I have had lots of mail, as I am sure the rest of you have, from chiropractors, and they claim they are now being denied a privilege that they have had for the past fifty years and this seems a little confusing to me. Can anyone clarify this?

SENATOR MARESH: Mr. President, at the present time, if a--first this would, the bill the way it came out of Committee, the physician would have to refer the patient to a chiropractor, if he so desired, and this treatment would be allowed by the Court, by the insurance. So I feel that it is not necessary that a person has to go to his physician first. That if he so--wants to choose his doctor, his physician, he should be able to go to a chiropractor in the first place.

SENATOR DICKINSON: May I continue? I haven't gotten my question answered. I want to know what the status of that chiropractor is at this moment under present legislation? Can a patient go directly to a chiropractor? Do they have to be referred by a physician? Now, the chiropractors, I have had so much correspondence in there. Frankly, their letters are terribly confusing as to what the status is right now. They claim they are being denied a privilege that they